

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, NOVEMBER 25, 2002**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Clement, Raser, Spraul-Schmidt, Sullebarger, and Senhauser present. Absent: Bloomfield, Borys, Kreider, and Wallace

### **MINUTES**

The minutes of the Monday, November 4, 2002 meeting were approved (motion by Sullebarger, second by Clement).

### **CERTIFICATE OF APPROPRIATENESS, 1895 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness to demolish a carriage house located at 1895 Madison Road. Built as an accessory structure to a former residence that was demolished decades ago, it is the only structure on the lot. The carriage house is a contributing resource to the East Walnut Hills Historic District.

Ms. Cowden explained that the Board had previously considered demolition of the carriage house on June 2, 1997 as part of a larger project involving the construction of a single-family residence. The project site plan and staff report from that date indicate the carriage house would be removed from the property; however the record shows no Board discussion of its removal nor was the demolition referenced in the staff report. The single-family residence was never constructed and the carriage house was never demolished.

In January 2001, Buildings and Inspections cited the owner for a housing code violation because the building was not properly secured and maintained, although they agreed with staff that the structure was stable and not in imminent danger of collapse. Additionally, with the demolition of the primary residence, the carriage house is considered the principal structure. As a principal structure, however, it does not conform to Zoning Code requirements since it is not habitable. The owner has indicated that she does not wish to make the financial investment required to bring the building into compliance.

Ms. Cowden stated that the historic district guidelines permit demolition of certain buildings if that the structure cannot be reused or if a reasonable economic return cannot be gained from the use of all or part of the building. The applicant has provided an estimate showing it is not economically feasible to rehab the structure, thereby enabling it to be in compliance with zoning. Furthermore, demolition would clear the site for future development. Preliminary plans have been developed for several alternative uses for the site including a single-family residence, but these are not part of the current application.

A pre-hearing was held on November 18, 2002. Sally Wilson, resident of 2901 Madison Road, and her son were in attendance to express concerns which included the potential loss of a contributing resource to the district, removal of debris if demolition occurred, and new development meeting historic district guidelines. Ms.

Cowden also received a letter from an adjacent property owner in support of the removal of the carriage house as a nuisance. Ms. Cowden added that Mary Ann Lee, President of the East Walnut Hills Assembly indicated that the Assembly had no time prior to the hearing to respond to the proposed demolition. Ms. Cowden clarified for Mr. Raser that the original complaint was made through the East Walnut Hills Assembly; however, at this point, the Assembly has taken no formal position on the demolition.

Ms. Sally Wilson was present to address the Board. She pointed out that Baker Place is quite narrow and was concerned with the probability of traffic congestion, work crew parking and debris on the street.

Applicant Robert Sala was present to respond to questions from the Board. In response to Mr. Senhauser, Mr. Sala stated that the demolition would be done by hand, taking approximately one week. Mr. Raser suggested that the East Walnut Hills Assembly be notified if the Board approved the demolition, since they had not had the opportunity to meet regarding the issue.

### **BOARD ACTION**

The Board voted unanimously (motion by Clement, second by Spraul-Schmidt) to take the following actions:

1. Find that the historic significance of the carriage house is dependent, in part, on the residence it served, and that the demolition of this residence diminished the significance of the carriage house and its contribution to the district;
2. Find that without the financial investment to make it habitable, the carriage house is a nonconforming use in an area zoned R-1;
3. Find that due to the high cost of rehabilitation, a reasonable economic return cannot be gained from the use of all or part of the carriage house at 1895 Madison Road; and
4. Approve a Certificate of Appropriateness for the demolition of the carriage house at 1895 Madison Road with the condition that plans for any future development on the lot shall be submitted to the Historic Conservation Board and the Urban Conservator for review and approval prior to any construction.

### **CERTIFICATE OF APPROPRIATENESS, 437 HOPKINS STREET, BETTS-LONGWORTH HISTORIC DISTRICT**

Staff member Cheri Rekow presented the staff report for this request for a Certificate of Appropriateness to modify the exterior of a garage, which is a noncontributing building within the Betts-Longworth Historic District, located at 437 Hopkins Street. Jamison and Jamison Funeral Home wishes to convert the garage to a chapel/casket viewing area associated with its business next door.

Ms. Rekow described the proposed modifications, which include the removal of an existing overhead garage door fronting on Hopkins Street and the installation of a new double entry with a canvas awning. Additionally, on the John Street elevation, the overhead garage door will be removed and the opening infilled with glass block. It and a second new entryway on John Street will be covered with awnings.

Ms. Rekow stated that staff recommends approval of a Certificate of Appropriateness for the modifications as proposed, with the condition that the awnings be limited to the two entryways.

Ms. Sullebarger stated she would have to abstain due to the architect being President of her Board of Trustees.

In reply to Mr. Raser, Ms. Rekow stated that the awnings are to be canvas; no new signage is proposed. She also stated that staff understands that the existing awning would be removed.

In response to the Board, Ms. Rekow stated the applicant is open to suggestions regarding the glass block. The applicant did not specify the type of glass block, but desires to have a pattern that emphasizes verticality and allows natural light into the area. The applicant did not consider plate glass, citing security reasons. The applicant chose not to present an alternative to the glass block.

The Board discussed the use of glass block in the district. Mr. Senhauser pointed out that in contrast to other applications, the use of glass block in this case is on a noncontributing building. Mr. Raser commented that glass block is not necessarily the best alternative since it gives negative connotations. He suggested that glass block not be approved, and consideration be given to an alternative translucent material. Ms. Rekow stated that the use of glass block would allow the applicant to mix patterns that they could not get with a solid material. Mr. Raser suggested other ways to get a chapel-like effect would be to use ribbed glass pieces that are frosted or sandblasted, patterned glass, or an interior treatment. In response to Ms. Spraul-Schmidt, Ms. Rekow stated that the applicant considered multi-colored glass that would suggest stained glass as an option.

Mr. Raser offered an amendment to the motion stipulating that glass block not be installed and that another translucent glazing material be approved with the final design approved by the Urban Conservator. Mr. Raser's amendment failed for lack of second.

### **BOARD ACTION**

The Board voted (motion by Clement, second by Spraul-Schmidt, Sullebarger abstaining) to take the following actions:

1. Find that the proposed alterations to the existing one-story contemporary garage are consistent with the general and specific guidelines of the Betts-Longworth Historic District; and
2. Approve a Certificate of Appropriateness for the proposed alternations to the one-story garage addition to 437 Hopkins Street, provided the awning over the glass block window is eliminated and there be no additional signage.

### **CERTIFICATE OF APPROPRIATENESS, 1816-1818 VINE STREET, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report for a Certificate of Appropriateness for the installation of replacement windows on the entire building located at 1816 Vine Street, a contributing building to the Over-the-Rhine (North) Historic District.

Ms. Kellam stated that the applicant proposes to rehab the upper floors of the three-story building and proposes to install 1/1-vinyl replacement windows on all of the

windows, with the exception of the storefront. She noted that all elevations of the "L" shape building are highly visible from either Race Street or McMicken Avenue. She described what remains of the existing windows as a mixture of styles, including 2/2 sash with infill panels at the top, 1/1, 3/1 and some 6/6 on the rear elevation. The applicant provided estimates for vinyl windows that indicate a premium of \$11,600 for 6/6 vinyl sash windows required by the guidelines over the 1/1 vinyl sash windows proposed.

Ms. Kellam explained that the guidelines for Over-the-Rhine (North) stipulate that replacement windows should match the original windows as closely as possible in style and size. The guidelines do not prohibit vinyl replacement windows, but suggest that each application be looked at on a case-by-case basis. In response to Mr. Raser, Ms. Kellam stated that the applicant had not provided a sample for the Board's review, but did provide a brochure.

Ms. Clement questioned the price comparison, pointing out that the estimates compare 6/6 sash windows to 1/1 sash windows. Ms. Kellam stated that Gorell does not make 6/6 double hung windows, so another manufacturer that offered that configuration, Gilkey was quoted.

Owner/applicant John Fahlbusch was present to respond to questions by the Board. He said that the estimates included the cost of installation, but that he would install the windows himself as he had in a building he owns next door. He pointed out the replacements in a picture included in the staff report. He indicated that the proposed window and trim for 1816-1818 Vine would be the same except that the installed windows have a 6/6 sandwich mullion. He explained that he had chosen this product because it offered the size of replacement window required to fit the full height of the existing openings – the largest being 102".

The Board discussed the flexibility of the guidelines for Over-the-Rhine (North) regarding windows, which would allow for 6/6 windows, even though they would not be true divided light. The Board concluded that the use of 6/6 single hung sash throughout the building would be most appropriate.

#### **BOARD ACTION**

The Board voted unanimously (motion by Sullebarger, second by Spraul-Schmidt) to take the following actions:

1. Find that what is left of the original windows in 1816 Vine Street cannot be repaired;
2. Find that the Gorell single hung vinyl sash windows with 6/6 sandwich grid are acceptable replacement windows in this case; and
3. Approve a Certificate of Appropriateness for the installation of 6/6 single hung vinyl replacement windows to fit the original opening at 1816 Vine Street.

The Board discussed forming a subcommittee to work with community representatives to develop a list of pre-approved replacement windows at different price points. This would be presented for the Board for review and acceptance.

#### **CERTIFICATE OF APPROPRIATENESS, 1521 VINE STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report for a Certificate of Appropriateness for the renovation of the building located at 1521 Vine Street,

known as the Empire Theatre. Ms. Cowden explained that the applicant's original intent was to obtain Federal Historic Tax Credits to aid in the restoration; however, the Ohio Historic Preservation Office determined that the building could not be certified as a contributing district building due to past alterations and loss of historic materials. The applicant still wishes to rehabilitate the façade based on the existing original elements and a 1914 photograph.

Ms. Cowden described the proposed reconstruction of the front facade as not being an exact duplicate. She stated, that as proposed, it meets the district guidelines although the finish materials have not yet been finalized. Staff also believes that scale and placement of single sign shown in the original rendering are preferable to the tripartite sign shown on the permit drawings.

The Board discussed the importance the entry being recessed, or at least giving the appearance of being recessed by use of a darker color. Mr. Senhauser pointed out that significant pieces of the original theatre were the towers flanking the entryway bridged by a piece that contained five windows. The original photograph shows indentations above the doors and ticket booth, which suggests three panels. He stated that the opportunity exists that the tripartite sign would be less objectionable if it could be placed in that recessed band.

Owner/applicant LaShawn Pettus-Brown, of PBI, Inc. was in attendance to respond to questions from the Board. He stated that the grand opening of the theatre was in 1914, but it was built in 1913. Ms. Sullebarger suggested that "Constructed in 1913, Restored in 2003" as being more appropriate than "circa 1914" since it is no longer a 1914 façade.

Mr. Pettus-Brown stated that the conceptual drawings presented were completed earlier in the year and the more recent construction drawings are more similar to the 1914 facade where the central area is recessed and better defined, as the Board had suggested. He indicated that the marquee projects out approximately two feet from the building and the signage would be recessed under and lighted from the marquee. In response to Mr. Raser, he stated that the surface treatment would be stucco. He stated that the two second floor niches and angels are still present and would be reconstructed and placed as in the original façade.

### **BOARD ACTION**

The Board voted unanimously (motion by Raser, second by Spraul-Schmidt) to take the following actions:

1. Find that the proposed work meets the Over-the-Rhine (South) Historic District guidelines; and
2. Approve a Certificate of Appropriateness with the condition that final construction drawings with the proposed exterior finishes as proposed in construction document A2.1 be submitted to the Urban Conservator for approval prior to construction.

### **CERTIFICATE OF APPROPRIATENESS AND EQ REVIEW, 100-104 WEST ELDER STREET, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report for this Certificate of Appropriateness and Environmental Quality Approval for the rehabilitation of the building located at 100 West Elder in the Over-the-Rhine (North) Historic District. The building is a contributing building in the district and is also located in the Findlay

Market Area Environmental Quality Public Investment District. The applicant proposes rehabilitating the building for mixed use, with retail on the first floor and nine residential units on the upper floors.

Ms. Kellam described the building as having the front, side, and rear elevations exposed and visible from the public right-of-way. The footprint creates a "U" shape at the rear which is highly visible due to a surface parking lot. Ms. Kellam explained details of the proposed alterations, including altering six original window openings and installing French doors with metal rails on the Race Street side. Additionally, new door openings with projecting metal balconies are proposed for the upper floors along the rear. A three-story glass connector would be constructed within the "U" at the rear and four clerestories would be added on the roof to create an additional floor in the top units. A surface parking surrounded by a metal fence would be off the alley at the rear.

Staff concluded that the only area where the project does not meet the guidelines is in altering original window openings on the street facade. Ms. Kellam pointed out that one of the main architectural features of the building is the rhythm of the window openings on the front and east side elevation and that the project could go forward without altering the openings for French doors. She said the project meets the applicable EQ guidelines as proposed.

Urban Conservator Forwood responded to Mr. Raser that staff had discussed the recessing of the glass connector with the architect who was not opposed to recessing it a few inches.

Owner Terry Ockerman and architect Mark Gunther were present to respond to questions from the Board. In response to Mr. Raser, Mr. Gunther described the fence as having a sliding motorized gate and although the specifics of the fence are not finalized, he anticipates it being a 7' high picket in painted black steel. Upon Mr. Senhauser stating that a 7' fence would require a variance, Mr. Ockerman replied that a 6' high fence would be sufficient.

Greg Kathman, Findlay Market Manager for the Department of Community Development addressed the Board expressing his support of the project, emphasizing the importance of the rear balconies. He stated that the proposed window/door modifications proposed for Race Street would add needed detail to that façade. Mr. Gunther added the new door openings were proposed for units not served by rear balconies.

Ms. Sullebarger expressed concern with the alteration of original window openings on Race Street. She stated that she did not object to putting balconies on the rear elevation because it had already been altered. Further, these were not unlike the existing fire escapes on the Elder Street elevation. She disagreed with the interpretation that the façade is monotonous; pointing out that the rhythm of the windows is a large part of the character of the building. She explained that that in the past, the Board has been flexible about changing window openings on rear or minor elevations.

The Board had additional discussion regarding the necessity of altering the window openings on the rear elevation. Mr. Senhauser suggested that the corner unit has nine window openings and has much exposure to southern light. He thought it likely to rent first, even without the balconies or added openings. Mr. Ockerman stated that the 4<sup>th</sup> floor is lofts and that the units below are much smaller, needing to be

opened up. He distributed pictures of existing balconies in the district. Mr. Gunther pointed out one in particular at 911 Race Street which has window opening altered to doors; he admitted that they are not on a street façade.

In response to Mr. Raser, Mr. Gunther agreed that there could be a conflict with electrical service if the 2<sup>nd</sup> floor windows were altered as proposed. Mr. Raser said he understood that the developer feels the window alterations on the Race Street façade are an amenity needed to sell the units.

Mr. Senhauser observed that the basic integrity and historic nature of the building is clear. He stated that the building is an early attempt to make buildings as light as possible because all of the openings are bigger than the walls. He suggested that the five balconies on the back is a good idea, but changing the window openings on Race Street does compromise the integrity of the facade. It could possibly make the unit more marketable, but he did not think that the improvement is worth the change.

### **BOARD ACTION**

The Board voted unanimously (motion by Raser, second by Sullebarger) to take the following actions:

1. Approve a Certificate of Appropriateness for the rehabilitation of 100 West Elder Street as proposed with the following conditions:
  - a. Recess the glass connector slightly from the existing masonry façade;
  - b. Limit the fence surrounding the parking lot to 6 feet; and
  - c. Eliminate the proposed French doors for the east side elevation along Race Street and retain all the original window openings; and
2. Approve an application for development permission for the proposed rehabilitation of 100 West Elder Street in the Environmental Quality-Public Investment District No. 1.

### **CERTIFICATE OF APPROPRIATENESS AND EQ REVIEW, 129 WEST ELDER STREET, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT**

Staff member Cheri Rekow presented this request for a Certificate of Appropriateness and EQ approval for the partial demolition and site improvement of 129 West Elder Street. The requested demolition is for a minor rear addition to a contributing building in the Over-the-Rhine (North) Historic District.

Ms. Rekow summarized the background of the application. She explained that the City of Cincinnati has been working with the owner of 125 West Elder Street, Mr. Michael Luken, in renovating the Elder Street properties and with the redevelopment of the abutting Clymer Alley. Mr. Luken has invested \$700,000 in making his business compliant with USDA standards, which requires two loading docks for his fish processing facility. One dock was constructed on the south side of the building facing Clymer Alley, and the other was constructed on the west wall of the building on the property line with 129 West Elder.

The only access to the west-facing dock and fire egress door requires access across the rear of 129 West Elder. The demolition of the 8' x 10' addition to 129 West Elder is required to provide useable access for the loading dock at 125 Elder and to comply with the City's agreement to provide Mr. Luken an easement across the rear

20 feet of the property. Ms. Rekow noted that the addition is of the period, but not original to the building and not itself historically significant. The structural integrity of the building is also severely deteriorated; the addition is pulling away from the original structure and abutting building.

Ms. Rekow explained that the Board may approve demolition if at least one of four conditions stipulated in the historic district guidelines are met. Two of the four conditions are met. 129 West Elder will ultimately be conveyed to the Corporation for Findlay Market (CFFM), a non-profit agency. The guidelines stipulate demolition may be approved if a non-profit owner " can demonstrate that the denial of the application to demolish would also deny the owner the use of the property . . . " CFFM has indicated it is not in a position to invest funds to stabilize the rear structure, which is space they cannot use, or lease. Demolition may also be approved for a non-significant portion of a building.

Ms. Rekow stated that Mr. Luken would be doing site improvements including grading, paving and an angular extension to the west facing dock. Since no details of this future work have been provided, staff is recommending that the Board approve a COA for the demolition contingent upon the Urban Conservator's final approval of that work.

#### **BOARD ACTION**

The Board voted unanimously (motion by Sullebarger, second by Raser) to take the following actions:

1. Approve a Certificate of Appropriateness to demolish the rear structure at 129 West Elder, finding that the structure is not historically significant and its removal will not jeopardize the remaining portion of the building on the condition that the applicant submit a final site plan and rear building elevation to the Urban Conservator for final approval prior to the demolition;
2. Approve a Certificate of Appropriateness to re-grade and pave the rear of 129 West Elder, conditioned upon final approval of a site plan by the Urban Conservator; and
3. Grant Environmental Quality District approval for same work cited above.

#### **ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned.

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

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Date